

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2998 - HB 3396

February 26, 2010

SUMMARY OF BILL: Requires headlights be displayed at all times a motor vehicle is in operation on a public highway. Classifies a violation as a Class C misdemeanor punishable by a fine of up to \$2. Prohibits any other cost being imposed or assessed against a driver for a violation. Prohibits a violation from being reported to the Department of Safety. Requires that a lighted flare be placed on the roadway at certain times whenever a bus, truck, or truck tractor is disabled except within a business or residential district of a municipality. Requires that there be at least one red lamp visible from a distance of five hundred feet attached to the rearmost extremity of any load that projects four feet or more beyond the rear body of a motor vehicle under normal atmospheric conditions.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – \$14,300

Increase State Expenditures – Not Significant

Increase Local Revenue – \$800

Increase Local Expenditures – Exceeds \$10,000*

Assumptions:

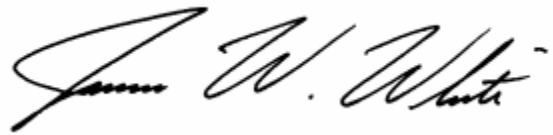
- The Department of Safety estimates that there will be 10,000 citations issued for not displaying headlights during the added times each year.
- Twenty-five percent will not pay the fine due to refusal or indigence.
- Five percent of fine revenue will be retained by local county clerks.
- Recurring state revenue will increase by approximately \$14,300 ($10,000 \times \$2.00 \times 75\% \times 95\%$).
- Recurring local revenue will increase by approximately \$800 ($10,000 \times \$2.00 \times 75\% \times 5\%$).
- Local governments would not be able to recoup expenditures for processing a citation exclusively for violating headlight requirements. This bill does not allow any other costs to be imposed on an offender, including any additional court costs. Local governments will receive \$0.10 per fine that is paid. It is estimated that the increase to recurring local government expenditures associated with issuing and processing citations will exceed \$10,000.

- A not significant number of citations will be issued by Tennessee Highway Patrol officers. Any increase in state expenditures associated with the enforcement or processing of citations will be not significant.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/jaw